UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION	 MDL No. 1456 Master File No. 01-12257-PBS
) Judge Patti B. Saris
THIS DOCUMENT RELATES TO:))
State of California, ex rel. Ven-A-Care v.)
Abbott Laboratories, Inc., et al.)
CASE #:1:03-cv-11226-PBS)
)

NOTICE OF DISMISSAL

To: The United States District Court and All Interested Parties:

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the California False Claims Act, Government Code Sections 12652(a) and 12652(c)(1) *et seq.*, the State of California and Relator Ven-A-Care of the Florida Keys, Inc. ("Relator") hereby give this Notice of the Dismissal of Defendants Glaxo Wellcome Inc. f/k/a Burroughs Wellcome Co., GlaxoSmithKline plc, and SmithKline Beecham Corporation d/b/a GlaxoSmithKline (collectively the "GSK Defendants") pursuant to the terms of the attached State Settlement Agreement and Release ("Agreement"). Pursuant to the terms of the stipulation contained in paragraph 4 at page 6 of the Agreement, all claims asserted on behalf of the State of California and Relator against the GSK Defendants in MDL No. 1456, Master File No. 01-12257-PBS, Original Central District of California No. 03-CV-2238 (D. Mass.), are hereby dismissed with prejudice.

This Dismissal has no effect on Plaintiffs' claims or allegations against any defendant

other than GSK.

Dated: January 22, 2007

BILL LOCKYER, Attorney General of the State of California

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SIGNATURES FOR STATE AND FOR

RELATOR

CERTIFICATE OF SERVICE

I, Nicholas Paul, hereby certify that on January 22, 2007, I caused a true and correct copy of the foregoing, **NOTICE OF DISMISSAL** to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

Dated: January 22, 2007

/s/ Nicholas Paul

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